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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,551	01/26/2001	Brian L. Arend	1801/USW0596PUS	6404
22193 7590 04/03/2007 QWEST COMMUNICATIONS INTERNATIONAL INC LAW DEPT INTELLECTUAL PROPERTY GROUP 1801 CALIFORNIA STREET, SUITE 3800 DENVER, CO 80202			EXAMINER MEHRPOUR, NAGHMEH	
			ART UNIT 2617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/03/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/770,551

Applicant(s)

AREND ET AL.

Examiner

Naghmeh Mehrpour

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. **Claims 1-3**, are rejected under 35 U.S.C. 102(e) as being anticipated by Carballo et al. (US Patent Number 6,687,506 B1).

Regarding claim 1, Carballo teaches a method for inhibiting wireless

telecommunication within a limited region (see figure 1, col 1 lines 39-59) comprising:

generating a plurality of noise signals, each signal within a different portion of the frequency range of the wireless telecommunication (col 2 lines 8-17);

broadcasting the plurality of noise signals from different locations into the region such that telecommunications is inhibited in the overlap of the broadcasted noise signals (col 2 lines 33-65).

Regarding claim 2, Carballo teaches a method/system for inhibiting wireless

telecommunications at least one of the pluralities of radio frequency noise generators (col 2 lines 34-65).

Regarding claim 3, Carballo inherently teaches a method for inhibiting wireless telecommunication system comprising:

broadcasting a noise signal (col 2 lines 15-17);

inhibiting wireless communication that includes broadcasting noise via at least one directional antenna to inhibit communication within a limited region (col 2 line 6-17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identify disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 4-9, 11-19**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Carballo et al. (US Patent Number 6, 393, 254) in view of Girod (US Patent Number 6,687, 506).

Regarding claims 4, 15, Carballo teaches a method/ system wherein the wireless telecommunications, the noise signal generated the plurality of noise signals (col 2 lines 15-17). Garballo fails to teach a method wherein the plurality of noise signals generated substantially through spread spectrum (CDMA). However, Girod teaches a method wherein the plurality of noise signals generated substantially through spread

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spectrum CDMA (col 1 lines 55-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Girod with Carballo, in order to provide a system that can operate in more advance system with more capacity.

Regarding claim 5, Carballo fails to teach a method/system wherein controlling broadcasting a noise signal based on a public event. However, Girod teaches a method/system wherein controlling broadcasting a noise signal based on a public event (col 1 lines 23-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Girod with Carballo, in order to provide a premises that can be protected in aircraft, auditoria, cinemas, theaters, conference rooms, restaurants, hospitals and any other public location.

Regarding Claims 6, 16, Carballo fails to teach a method wherein broadcasting of a noise signal is automatically based on at least one condition of the public event.

However, Girod teaches a method wherein broadcasting of a noise signal is automatically based on at least one condition of the public event (col 1 lines 23-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Girod with Carballo, in order to provide a premises that can be protected in aircraft, auditoria, cinemas, theaters, conference rooms, restaurants, hospitals and any other public location.

Regarding claims 7, 9, 17, 19, Carballo does not specifically mention a method/system for inhibiting wireless telecommunications wherein the region is the inside of an automatic vehicle. However, Girod teaches mention a method/system for inhibiting wireless telecommunications wherein the region is the inside of an automatic vehicle (col 1 lines 28-34, col 3 lines 45-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Girod with Carballo, in order to provide a premises that can be protected in automobiles, aircraft, auditoria, cinemas, theaters, conference rooms, restaurants, hospitals and any other public location.

Regarding claims 8, 18, Carballo teaches a method/system for inhibiting wireless telecommunications (col 1 lines 40-58).

Regarding claims 11, 21, Carballo fails to teach a method/system for inhibiting wireless telecommunications comprising:

controlling broadcasting the plurality of noise signal based on detecting at least one condition of the automotive vehicle. However, Girod teaches a method/system for inhibiting wireless telecommunications comprising:

controlling broadcasting the plurality of noise signal based on detecting at least one condition of the automotive vehicle (col 1 lines 28-34, col 3 lines 45-52-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

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the invention to combine the above teaching of Girod with Carballo, in order to provide a premises that can be protected in automobiles, aircraft, auditoria, cinemas, theaters, conference rooms, restaurants, hospitals and any other public location.

Regarding claim 13, Carballo teaches a system for inhibiting wireless telecommunications within a limited region of the telecommunications coverage comprising:

a plurality of radio frequency noise generators, each generator generating a noise signal within a different portion of the frequency range of the wireless telecommunications (col 1 lines 39-58);

broadcasting the plurality of noise signals from different locations into the region such that telecommunications is inhibited in the overlap of the broadcasted noise signals (col 1 lines 39-58).

Regarding claim 14, Carballo teaches a method/system for inhibiting wireless telecommunications at least one of the pluralities of radio frequency noise generators (col 2 lines 34-65).

3. **Claims 10, 20**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Carballo et al. (US Patent Number 6, 393, 254) in view of Girod (US Patent Number 6,687, 506) in further view of Kushita (US Patent Number 6,570,689).

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Regarding claims 10, 20, Carballo teaches a method/system that broadcasting a noise signal within a frequency range with in a region (col 1 lines 55-65). Carballo modified by Girod does not specifically mention a method/system that broadcasting a noise signal based on detecting the presence of a telephone in a cradle. However Kushita teaches a method/system wherein when attachment of the portable telephone to the cradle is detected the drive mode is cancelled, or while the automobile is traveling, hand-free speech communication can be inhibited (col 9 lines 10-25). Since Carballos teaches a method of generating noise while disabling the cellular phone in a predefined area, and Kushita teaches a method of disabling the telephone when detection is resulted in the presence of the telephone on a cradle. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Kushita with Carballo modified by Girod, in order to provide a system that can detects theft of radio telephones mounted within vehicle cradles.

Response to Arguments

4. Applicant's arguments with respect to claims 1-11, 13-21, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913.

The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

March 29, 2007



NAGHMEH MEHROTRA
PRIMARY EXAM